

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Newport News Division**

IN RE:)	
)	
Henry H. Pittman)	Case No. 22-50415-SCS
)	Chapter 7
Debtor.)	

Legacy Mortgage Asset Trust 2020-GS4,)	
)	
Movant,)	
)	
v.)	
)	
Henry H. Pittman)	
and David R. Ruby, Trustee)	
)	
Respondents.)	
)	

TRUSTEE’S OBJECTION TO MOTION FOR RELIEF

David R. Ruby, Chapter 7 trustee (the “**Trustee**”) for the bankruptcy estate of Henry H. Pittman (the “**Estate**”), respectfully submits the following objection to the *Motion Seeking Relief from Stay* (Doc. 137) (the “**Motion**”) filed by Legacy Mortgage Asset Trust 2020-GS4 (the “**Movant**”) with respect to the residential real property located at 105 Larson Court, Newport News, VA 23602 (the “**Estate Property**”):

1. On July 5, 2022, Henry H. Pittman (the “**Debtor**”) filed a voluntary petition under Chapter 13 of the United States Bankruptcy Code. By the Court’s *Order Upon Conversion of Chapter 13 to Chapter 7* (Doc. 103), the case was converted to a Chapter 7 case.

David R. Ruby, Esquire (VSB No. 22703)
Chapter 7 Trustee
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2. The Trustee was appointed and serves as Chapter 7 trustee in the case.

3. The initial § 341 meeting was scheduled for and conducted on January 3, 2024. The meeting was adjourned to February 5, 2024, and readjourned to February 26, 2024 and then to March 20, 2024. The meeting was concluded on March 20, 2024.

4. The principal purpose of the adjournments was to provide the Trustee with an opportunity to obtain and review documentation and information regarding ongoing divorce proceedings in Maryland and to determine their impact on the bankruptcy case and the Estate.

5. The Trustee declared the case to be an asset case on April 3, 2024.

6. In the Motion, the Movant advises as follows: (i) that the Estate Property is assessed at \$334,900 and (ii) that the balance due on its secured claim against the Estate Property was approximately \$133,648.79 as of March 4, 2024.

7. In the Motion, the Movant admits that the Estate Property possesses equity in excess of \$200,000.00 ($\$334,900 \text{ less } \$133,648.79 = \$201,251.21$).

8. Based upon the foregoing alone, the Movant's interest in the Estate Property is adequately protected, and no cause exists to grant the Movant relief from the automatic stay with respect to the Estate Property.

9. Based upon the level and extent of equity in the Estate Property, the Trustee intends employ a real estate agent and list and market the Estate Property for sale for the benefit of the Estate. Sale of the Estate Property will allow for payment of the Movant's secured claim against the Estate Property in full at closing and allow for a meaningful distribution to unsecured creditors.

10. The Trustee has advised the Movant of his intentions.

WHEREFORE, the Trustee respectfully requests the Court (i) to deny the relief requested by the Movant and dismiss the Motion; (ii) to allow the Trustee to administer the Estate Property for the benefit of the Estate; (iii) to allow the Trustee to take such action with respect to the Estate Property as he shall deem to be in the best interests of the Estate; and (iv) to grant such other relief as the Court shall deem just and proper.

Respectfully submitted,

/s/ David R. Ruby
David R. Ruby, Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of April, 2024, a true and accurate copy of the foregoing Objection was served by first class U.S. Mail (postage prepaid), via e-mail or via the Electronic Case Filing (ECF) system, as appropriate and as indicated, on the following parties:

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/s/ David R. Ruby
David R. Ruby

[* Indicates service by ECF or e-mail. All others served by first class U.S. Mail, postage prepaid.]